

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

WESLEY KEITH HOLMES, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 3:07-CV-241-WKW
	)	
SHERIFF JAY JONES, et al.,	)	
	)	
Defendants.	)	

**ORDER**

Upon review of the special report filed by the defendants on May 30, 2007 (Court Doc. No. 10), and for good cause, it is

ORDERED that on or before June 15, 2007 the defendants shall file a supplemental special report which addresses whether the plaintiff may file grievances with jail authorities since he is now a state prisoner. *Woodford v. Ngo*, \_\_\_ U.S. \_\_\_, 126 S.Ct. 2378, 2387 (2006) (“[T]he PLRA exhaustion requirement requires proper exhaustion.”). “Proper exhaustion demands compliance with an agency’s deadlines and other critical procedural rules [as a precondition to filing suit in federal court] because no adjudicative system can function effectively without imposing some orderly structure on the courts of its proceedings.... Construing § 1997e(a) to require proper exhaustion ... fits with the general scheme of the PLRA, whereas [a contrary] interpretation [allowing an inmate to bring suit in federal court once administrative remedies are no longer available] would turn that

provision into a largely useless appendage.” *Id.* at 2386.

Done this 31<sup>st</sup> day of May, 2007.

/s/ Wallace Capel, Jr.

WALLACE CAPEL, JR.

UNITED STATES MAGISTRATE JUDGE